

### **REMARKS**

This Response and Amendment is filed in response to the Office Action dated June 3, 2004.

Claims 1-20 are pending in this application. In the Office Action, Claims 1-9, 12, and 16-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,473,973 (Laube) in view of JP Patent No. 402152491A (Kiyama et al.) or JP Patent No. 102142587A (Yamamoto et al.). Further, Claims 1-11 and 13-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,563,814 (Trichell et al.) in view of Kiyama et al. or Yamamoto et al. and Laube or U.S. Patent No. 4,249,307 (Andis).

In this response, Applicant has canceled Claims 1, 5, and 13, and amended Claims 2-4, 6-7, 10, 12, 14-16, and 18 such that pending Claims 2-4, 6-12, and 14-18 depend from independent Claim 19. Based upon this amendment, the rejection to Claims 1-9, 12, and 16-18 over Laube in view of Kiyama et al. or Yamamoto et al. is no longer applicable. Therefore, in this response Applicant will only address the rejection of Claims 2-11 and 14-20 over Trichell et al. in view of Kiyama et al. or Yamamoto et al. and Laube or Andis.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claimed limitations. See MPEP § 2142; *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The prior art references recited in the Office Action do not establish a *prima facie* case of obviousness because the combination of Trichell, Kiyama et al. or Yamamoto et al., and Laube or

Andis, or the references individually, do not teach or suggest all the claim limitations required by the pending claims. Specifically, the references, individually or when combined, do not teach or suggest a movable hair clipper upper blade including upper and lower surfaces wherein the lower surface includes a pair of integrally formed lower reinforcing rims and a pair of recessed portions extending outwardly from a respective one of the lower reinforcing rims, and further wherein each lower reinforcing rim forms a portion of one of the parallel walls of a drive notch.

Independent Claims 19 and 20 both recite a movable upper blade constructed of ceramic, the movable blade including a forward edge with a series of teeth extending there along and upper and lower surfaces extending from the forward edge of the movable blade. The upper surface of the movable blade includes a pair of integrally formed upper reinforcing protrusions and the lower surface of the movable blade is supported by the upper surface of a fixed blade. The lower surface of the movable blade includes a pair of integrally formed lower reinforcing rims and a pair of recessed portions, each recessed portion extending outwardly from the respective one of the lower reinforcing rims. The movable blade also includes a drive notch sized to receive a drive finger and the drive notch includes a pair of substantially parallel walls extending between the upper and lower surfaces of the movable blade. Further, each lower reinforcing rim forms a portion of a respective one of a substantially parallel wall of a drive notch.

Trichell et al. discloses a movable blade 6, but does not include any figures showing, or disclosure describing, the configuration of a bottom surface of movable blade 6. Movable blade 6 includes a recess 26 adapted to receive a drive shaft of a clipper and, as seen in Fig. 1, two parallel walls form the sidewalls of the recess. Further, the bottom surface of blade 6 includes an integral ridge 22 adjacent a rear edge 24 of blade 6. However, as can be seen in Figs. 1 and 3, Trichell et al.

does not disclose the bottom surface of blade 6 including a pair of integrally formed lower reinforcing rims forming a portion of one of the parallel walls and a pair of recessed portions extending outwardly from a respective one of the rims, as required by independent Claims 19 and 20. Therefore, Trichell et al. does not teach or suggest at least one claim limitation of independent Claims 19 and 20 required by the present application.

Kiyama et al. illustrates blades 2 and 3 for a shaver. Shaver blade 2 illustrated in Kiyama et al. is planar with an opening extending between upper and lower surfaces of the blade. Further, there are substantial structural differences between a movable blade 30 of a hair clipper, as illustrated in the present application, and a shaver blade 3 of Kiyama et al. Shaver blade 3 is a substantially U-shaped blade and does not include any protrusions or recessed portions on either surface of the blade. Therefore, Kiyama et al. does not teach or suggest a lower surface including a pair of integrally formed lower reinforcing rims and a pair of recessed portions extending outwardly from a respective one of the rims, and at least one claim limitation of independent Claims 19 and 20 of the present application.

Yamamoto et al. illustrates a movable blade 1, however, there is no indication whether the view shown in Figure 1 is of an upper surface or a lower surface of blade 1. If it is assumed that the view is of a lower surface, Yamamoto, et al. does not teach or suggest the lower surface of blade 1 including a pair of integrally formed lower reinforcing rims and a pair of recessed portions extending outwardly from a respective one of the lower reinforcing rims as required by the present invention. Therefore, Yamamoto, et al. does not teach at least one claim limitation of independent Claims 19 and 20 of the present application.

In Laube, FIGS. 4 and 4a illustrate bottom plan views of an upper cutting blade 15, which show a lower surface of upper cutting blade 15. As seen in FIGS. 4 and 4a, Laube does not teach or suggest a lower surface of upper blade 15 including a pair of integrally formed lower reinforcing rims or a pair of recessed portions extending outwardly from a respective one of the lower reinforcing rims. In addition, the specification does not disclose either a pair of integrally formed lower reinforcing rims or a pair of recessed portions extending from the lower reinforcing rims for the upper cutting blade of Laube. Therefore, Laube does not teach at least one claim limitation of independent Claims 19 and 20 of the present application.

Finally, Andis shows a movable blade member 30 in FIGS. 4 and 6. Blade member 30 is a generally flat planar plate, which includes forwardly and rearwardly co-planar lower surfaces 34 with a groove 48 therebetween (col. 4, lns. 15-33). However, as apparent from FIG. 4, blade member 30 does not include a pair of integrally formed lower reinforcing rims or a pair of recessed portions extending outwardly from one of the rims because the lower surfaces 34 are planar. Therefore, Andis does not teach or suggest at least one claim limitation of independent Claims 19 and 20 of the present application.

A *prima facie* case of obviousness has not been established. Neither the combination of Trichell et al., Kiyama et al. or Yamamoto et al., and Laube or Andis, nor those references individually, teach or suggest all the claim limitations required by independent Claims 19 and 20. Namely, none of the references individually or combined teach a movable upper blade including upper and lower surfaces wherein the lower surface includes a pair of integrally formed lower reinforcing rims that form a portion of one of the parallel walls of the drive notch and a pair of recessed portions, each recessed portion extending outwardly from a respective one of the lower

reinforcing rims. Therefore, independent Claims 19 and 20 are patentable over Trichell et al. in view of Kiyama et al. or Yamamoto et al. and Laube or Andis. Further, Claims 2, 3 and 4, 6-12 and 14-18 depend from allowable Claim 19, and are therefore allowable as well.

In view of the amendments presented herein, Applicant believes that the claims as filed are in condition for allowance and respectfully requests a timely Notice of Allowance be issued for this case. Applicant kindly requests that the Examiner telephone the attorney of record in the event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,



Gayle A. Bush  
Reg. No. 52,677

File No. 012021-9219-00  
Michael Best & Friedrich LLP  
100 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202-4108  
(414) 223-2509

T:\clients\012021\9219\A0951380.1